

Approved

**City of York Planning Commission
October 25, 2021
Minutes**

Members present:

Chairperson Wendy Duda
Matt Hickey
Maria Duncan
Charles Brewer
Ron Parrish
Arthur Lowry
Francine Mills

Members absent:

Others present:

Planning Director Breakfield
Zoning Administrator Blackston
City Manager Duncan
(see sign-in sheet)

The first item of business was Chairperson Wendy Duda calling the meeting to order at 6:02 pm.

The second item of business was approval of the draft Minutes from the September 27, 2021 meeting.

Upon a Motion by Ron Parrish, seconded by Arthur Lowry, the Commission unanimously approved the draft Minutes as submitted.

For the third item of business, Chairperson Duda opened the floor for comments from the public on agenda items. No comments were received.

The fourth item of business was a proposed single-family dwelling subdivision, McFarland Estates, to be located near the intersection of Devinney Road and McFarland Road (referenced by Tax Map Id # 3460000006):

The following was discussed:

- a. The City has received an application to rezone the referenced property from York County zoning classifications RDI and RDII to City of York zoning classification R5- Multifamily Residential. An annexation request will be required for this project.

As with any rezoning application, the Planning Commission (PC) must review the application and then render a recommendation to York City Council. As the rezoning application is reviewed, the PC must be mindful that, among other things, the City's Comprehensive Plan must be used in the evaluation process. City Council must take the PC recommendation, conduct a public hearing(s), receive public feedback and make a final decision on the matter.

- b. In a R5 – Multifamily Residential Zoning District, single-family dwelling subdivisions are allowed only by special exception approval. We received a special exception application and conceptual site plan for a single-family dwelling subdivision to be located as referenced above.

Any recommendation for approval of the special exception application and conceptual site plan must be contingent on York City Council ultimately approving the requested annexation and R5 – Multifamily Residential zoning designation for the properties.

As the special exception application and conceptual site plan are reviewed, the PC must be mindful that, among other things, the City's Comprehensive Plan must be used in the evaluation process and that the following factors must be addressed in the decision-making process:

- The proposed design and location of the particular development.
- The possible traffic-generating characteristics of the proposed development.
- The effects of the proposed development on the present or intended character of the area in which it is proposed for location.
- The availability of public utilities, facilities and services.

As with any special exception application, the PC must review the application and then render a recommendation to the Board of Zoning Appeals (BZA). The BZA must take the PC recommendation, conduct a public hearing(s), receive public feedback and make a final decision on the matter.

The special exception application and conceptual site plan for the project were included in the meeting packet.

- c. The applications were informally discussed at the August 23rd PC meeting.
- d. At the September 27th meeting, the PC deferred action and requested that the applicant provide a response to the comments provided by City staff. The applicant's response and revised conceptual site plan were included in the meeting packet.
- e. The PC has a maximum of 75 days from the initial official meeting regarding these applications to review and make recommendations regarding such applications.
- f. If a rezoning application is denied, such application cannot be resubmitted for at least one year.

Representatives of Bloc Design presented and discussed the proposed project. The presentation included an itemized response to previous comments by the PC and City staff.

REZONING: After much discussion and upon a Motion by Charles Brewer, seconded by Matt Hickey, the Commission recommended approval of the rezoning application. Maria Duncan opposed the Motion.

SPECIAL EXCEPTION: After much discussion and upon a Motion by Matt Hickey, seconded by Charles Brewer, the Commission recommended approval of the special exception application conditioned on City Council ultimately approving the annexation and rezoning applications. Maria Duncan opposed the Motion.

The fifth item of business was a rezoning application for 13 Victory Lane (referenced by Tax Map # 0700301035).

Planning Director Breakfield indicated the following regarding the application:

1. The subject property is referenced by York County tax map # 07003001035 and is currently zoned R15. The applicant requested that the property be rezoned from R15 to B1 per the provided application and supporting information.
2. As with any rezoning application, the PC must review the application and then render a recommendation to York City Council. Among other things, in reviewing the rezoning request, the PC should evaluate the application for compliance with the comprehensive plan and consider the potential effects on the surrounding area. The provided zoning map image showed the existing zoning for the property and the surrounding area.
3. City Council must take the PC recommendation, conduct a public hearing(s), receive public feedback and make a final decision on the matter.

After discussion and upon a Motion by Ron Parrish, seconded by Maria Duncan, the Commission recommended that City Council rezone the property to B1 – Central Business. Charles Brewer opposed the Motion.

The sixth item of business was discussion of amenity requirements for the Fergus Crossroads project.

Planning Director Breakfield indicated the following regarding the application: earlier this year, the PC conditionally approved the preliminary plat for the Fergus Crossroads project. Among the listed conditions was the need to further discuss the specifications and timing of installation of the proposed amenities (especially the pool and cabana).

After discussion and upon a Motion by Matt Hickey, seconded by Arthur Lowry, the Commission unanimously voted to accept the proposed phasing schedule for the amenities.

The seventh item of business was discussion of a potential zoning amendment regarding brewpubs.

Planning Director Breakfield explained the definition of a brewpub versus a standard bar and restaurant.

At the September 27th meeting, the PC discussed a potential draft ordinance that would define and then allow brewpubs in B1, HC and GI zoning districts subject to special exception approval and/or other appropriate conditions. In particular, the PC requested that Staff research potential definitions for a brewpub.

After discussion and upon a Motion by Maria Duncan, seconded by Matt Hickey, the Commission unanimously recommended approval of the draft ordinance as submitted.

The eighth item of business was discussion of the City of York Development Impact Fee Study.

Matt Noonkester, with City Explained, Inc., presented the impact fee analysis to the Planning Commission and answered several questions and concerns from the Commission. The questions included when the fees would be applied, what the calculations and data were based on, how the City would benefit from the new impact fees, etc.

After discussion and a Motion by Matt Hickey, seconded by Ron Parrish, the Commission unanimously voted to recommend approval of the Impact Fee Study.

The ninth item of business was review of minor plat approvals.

There being no further business, the meeting was adjourned at 8:00 pm.

Respectfully submitted,

C. David Breakfield, Jr. MCP, AICP
Planning Director

cc: File – Planning Commission 10/25/2021
Seth Duncan, City Manager